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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In Re JPMorgan Chase LPI Hazard Litigation

Civil Action No. CV-11-03058-JCS

**STIPULATION OF VOLUNTARY
 DISMISSAL WITH PREJUDICE**

1 Plaintiffs Patricia McNeary-Calloway, Colin MacKinnon, Terrie MacKinnon, Andrea
2 North, Sheila M. Mayko-Pazdan, Garry ("Mitch") Varnes, Jr., Kathryn A. Varnes, Chad Knox,
3 Leonard Jelks, Jr., Jack E. Brooks, Tami Brooks, Patrick Drexler, Joel Iseman and LeeAnn
4 Johnson (collectively "Plaintiffs") and Defendants JPMorgan Chase Bank, N.A., for itself and as
5 successor by merger to Chase Home Finance, LLC, Chase Bank USA, N.A., Banc One Insurance
6 Company, and Chase Insurance Agency (collectively "Chase") and Assurant, Inc., American
7 Security Insurance Company, and Standard Guaranty Insurance Company (collectively
8 "Assurant") (together with Chase, "Defendants" and collectively with Plaintiffs, "Parties")
9 hereby agree and stipulate as follows:

10 A. Whereas, Plaintiffs currently have pending a Consolidated Amended Complaint
11 (the "Complaint") in the United States District Court for the Northern District of California;

12 B. Whereas, in the Complaint, Plaintiffs make certain allegations against Defendants
13 relating to Defendants' residential hazard insurance requirements and practices which allegations
14 Plaintiffs purported to assert both individually and on behalf of a nationwide class and
15 California, New Jersey, Florida and Illinois subclasses of plaintiffs;

16 C. Whereas, Defendants denied that their actions were wrongful in any respect with
17 regard to Plaintiffs and any putative class;

18 D. Whereas, court approval of a settlement, voluntary dismissal or compromise
19 under Federal Rule of Civil Procedure 23(e) is required only for "certified class" actions and the
20 Advisory Committee Notes for Rule 23(e) state that court approval is required only if "the
21 claims, issues, or defenses of a certified class are resolved by a settlement, voluntary dismissal,
22 or compromise," rejecting the view that court approval is required for settlements "with putative
23 class representatives that resolve[] only individual claims." *See* Rule 23 Advisory Committee
24 Notes, 2003 Amendments.

25 E. Whereas, the Court has never certified any class in this case under Federal Rule of
26 Civil Procedure 23;

F. Whereas, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), a plaintiff may dismiss an action by filing a stipulation of dismissal signed by all parties who have appeared; and

G. Whereas, the parties have reached a settlement of Plaintiffs' claims.

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE THAT:

All of the individual claims and allegations brought by Patricia McNeary-Calloway, Colin MacKinnon, Terrie MacKinnon, Andrea North, Sheila M. Mayko-Pazdan, Garry ("Mitch") Varnes, Jr., Kathryn A. Varnes, Chad Knox, Leonard Jelks, Jr., Jack E. Brooks, Tami Brooks, Patrick Drexler, Joel Iseman and LeeAnn Johnson against , JPMorgan Chase Bank, N.A., Chase Home Finance, LLC, Chase Bank USA, N.A., Banc One Insurance Company, and Chase Insurance Agency and Assurant, Inc., American Security Insurance Company, and Standard Guaranty Insurance Company, or any of them, are dismissed with prejudice. To the extent that any allegations remain pertaining to any member of a putative class alleged in the Complaint who is not a Plaintiff, those claims are dismissed without prejudice. Each Party shall bear his or her own costs and attorney's fees.

IT IS SO STIPULATED.

Dated: August 24, 2015

Respectfully submitted,

**KESSLER TOPAZ
MELTZER & CHECK, LLP**

By: /s/ Peter Obstler

Peter Obstler
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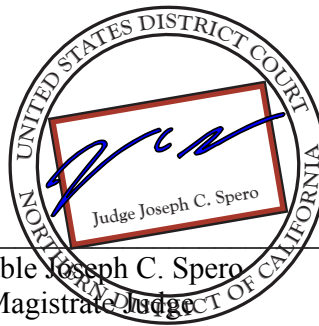
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Attorneys for Plaintiffs

IT IS SO ORDERED.

DATED: 8/24, 2015



Honorable Joseph C. Spero
Chief Magistrate Judge

Attestation of Compliance

The filer of the document, Edward W. Ciolko, attests that concurrence in the filing of the document has been obtained from each of the other Signatories pursuant to Local Rule 5-1(i)(3)

DATED: August 24, 2015

By: /s/ Edward W. Ciolko
Edward W. Ciolko

CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 24, 2015 at Radnor, Pennsylvania.

/s/ Edward W. Ciolko

Edward W. Ciolko